

### **REMARKS**

The claims are 13-26, with claim 13 being the sole independent claim. Support for claims 13-17 may be found in original claims 1, 2, 6, 7 and 9-10. Support for claims 18-23 may be found in the specification at page 3, lines 6-32. Support for claims 24-26 may be found in original claims 3-4. No new matter has been added.

For the avoidance of doubt, Applicants note that, as set forth in the specification, 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or "Compound (I)," may exist in one of several tautomeric forms, all of which are encompassed by the term "Compound (I)," as individual tautomeric forms or as mixtures thereof. Furthermore, Compound (I) contains a chiral atom, and therefore can exist in up to two stereoisomeric forms, and the term "Compound (I)" encompasses all of these isomeric forms, whether as individual isomers or as mixtures of isomers, including racemates. See the specification at page 3, lines 33-38. Accordingly, when reference is made to "Compound (I)", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", or to "said compound", all tautomeric and isomeric forms of the compound are encompassed.

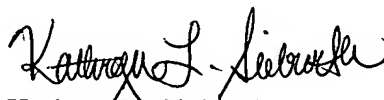
Additionally for the avoidance of doubt, when reference is made to scalar amounts, including mg amounts and % weight amounts, of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or a tautomer thereof "in a pharmaceutically acceptable form" or "in the form of a pharmaceutically acceptable salt", the scalar amount referred to is made in respect of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione (or a tautomer thereof) per se: for example, 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or a tautomer thereof, in the form of the maleate salt is that amount of maleate salt which contains 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione (not: 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione maleate salt). In contrast, all tautomeric and stereoisomeric forms of a compound have identical molecular weights. Accordingly, in the above example, a dose of 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione is identical to a dose of 2 mg of any tautomer or any stereoisomer of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione.

Accordingly, the insulin sensitizer used in present invention, 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, can be administered in any

pharmaceutically acceptable form (for example, as the free base or as a salt or as a solvate or as a solvate of a salt, etc.), however, the amount of sensitizer administered is based upon the weight of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in the pharmaceutically acceptable form (e.g., the molecular weight of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione maleate is 473.52 g/m, whereas the molecular weight of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione is 357.44 g/m).

Applicants respectfully submit that the subject application is in condition for allowance. If the Examiner has any objections or concerns, the Examiner is respectfully requested to contact Applicants' undersigned attorney to resolve such issues and advance the case to issue.

Respectfully submitted,



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